

LOCAL GOVERNANCE STATEMENT 2019-2022

Guide for the community on Council processes

Appendix 5(A) – Community Boards Functions and Delegations

APPENDIX 5A: COMMUNITY BOARDS FUNCTIONS AND DELEGATIONS

COMMUNITY BOARDS – FUNCTIONS AND DELEGATIONS

This document records the delegation of Council functions, responsibilities, duties, and powers to Community Boards.

The Community Boards have been established under section 49 of the Local Government Act 2002 to represent, and act as an advocate for, the interests of their community.

The delegations are expressed in general terms. The delegations shall be exercised with proper regard for the Council's strategic direction, policies, plans, Standing Orders and its interpretation of its statutory obligations. The delegations are to be read together with the following propositions.

These delegations are based on the following principles:

- Issues relevant to a specific community should be decided as closely as possible to that community. Where an issue has city-wide implications, ie any effects of the decision cross a ward or community boundary or have consequences for the city as a whole, the matter will be decided by Council after seeking a recommendation from the relevant Community Board or (any ambiguity around the interpretation of "city-wide" will be determined by the Mayor and Chief Executive in consultation with the relevant Chair);
- Efficient decision-making should be paramount;
- Conflicts of interest should be avoided and risks minimised;
- To ensure processes are free from bias and pre-determination Community Boards should not adjudicate on issues on which they have advocated or wish to advocate to Council;
- Community Boards should proactively and constructively engage with residents on local matters that affect the community they represent and raise with Council issues raised with them by their community and advocate on behalf of their community.

These delegations:

- (a) do not delegate any function, duty or power which a statute (for example section 53(3) and clause 32(1) of Schedule 7 of the Local Government Act 2002) prohibits from being delegated;
- (b) are subject to and do not affect any delegation which the Council has already made or subsequently makes to any other committee, Council officer or other member of staff;
- (c) are subject to any other statutory requirements that may apply to a particular delegation;
- (d) are subject to any notice issued by the Council, from time to time, to a Community Board that a particular issue must be referred to Council for decision;

- (e) reflect that decisions with significant financial implications should be made by Council (or a committee with delegated authority);
- (f) promote centralisation of those functions where the appropriate expertise must be ensured; and
- (g) reflect that all statutory and legal requirements must be met.

DELEGATIONS

Decide:

- Removal and/or planting of street trees within the provisions of Council's Operational Guide for Urban Forest Plan where a dispute arises that cannot be resolved at officer level. Note ¹
- The granting of leases and licences in terms of Council policy to voluntary organisations for Council owned properties in their local area, for example, halls, but not including the granting of leases and licences to community houses and centres.
- The granting of rights-of-way and other easements over local purpose reserves and granting of leases or licences on local purpose reserves.
- The granting of leases and licences for new activities in terms of Council policy to community and commercial organisations over recreation reserves subject to the provisions of the Reserves Act 1977 and land managed as reserve subject to the provisions of the Local Government 2002, in their local area. (Note: renewal of existing leases and licences will be reported once a year to Council's City Development Committee).
- The allocation of funding from the Community Engagement Fund in accordance with Council's adopted guidelines.
- Expenditure of funds allocated by the Council to the Board from the Miscellaneous Budget to cover expenditure associated with the activities of the Board. The Chair to approve expenditure, in consultation with the Board, and forward appropriate documentation to the Committee Advisor for authorisation. Boards must not exceed their annual expenditure from the Miscellaneous Budget.
- The allocation of funding for the training and development of Community Board or members, including formal training courses, attendance at seminars or attendance at relevant conferences.

Consider and make recommendations to Council on:

- Naming new roads and alterations to street names (in the Community Board's area).
- Official naming of parks, reserves and sports grounds within the provisions of Council's Naming Policy. Note ²

¹ The Operational Guide for Urban Forest Plan is available from Council's Parks and Gardens Division.

- Particular issues notified from time to time by Council to the Community Board.
- Roading issues considered by the Mayor and Chief Executive to be strategic due to their significance on a city-wide basis, including links to the State Highway, or where their effects cross ward or community boundaries.
- Parks, reserves and sports ground naming for sites that have a high profile, city-wide importance due to their size and location and/or cross ward or community boundaries.
- Representatives to any Council committee, subcommittee, subordinate decision-making body, working group, or ad hoc group on which a Community Board representative is required by Council.
- The setting, amending or revoking of speed limits in accordance with the *Hutt City Council Bylaw 2005 Speed Limits*, including the hearing of any submissions.

GENERAL FUNCTIONS

Provide their local community's input on:

- Council's Long Term Plan and/or Annual Plan.
- Council's policies, programmes (including the District Roading Programme) and bylaws.
- Changes or variations to the District Plan.
- Resource management issues which it believes are relevant to its local community, through advocacy.
- The disposal or acquisition of significant assets.
- Road safety including road safety education within its area.
- Any other issues a Board believes is relevant to its local area.
- Review Local Community Plans as required.

Reports may be prepared by the Board and presented to Council Committees, along with an officer's recommendation, for consideration.

Any submissions lodged by a Board or Committee require formal endorsement by way of resolution.

Co-ordinate with Council staff:

- Local community consultation on city-wide issues on which the Council has called for consultation.

² This excludes sites that are considered high profile, significant on a city-wide basis due to their size and location, or where the site crosses ward or community boundaries.

Maintain:

- An overview of roadworks, water supply, sewerage, stormwater drainage, waste management and traffic management for its local area.
- An overview of parks, recreational facilities and community activities within its local area.

Develop:

- Community Response Plans in close consultation with the Wellington Region Emergency Management Office, emergency organisations, the community, residents' associations, other community groups, and local businesses. The Community Response Plans will be reviewed on an annual basis.

Grant:

- Local community awards.

Promote:

- Recreational facilities and opportunities in its area with a view to ensure maximum usage.
- Arts and crafts in its area.

Appoint:

- A liaison member or, where appropriate, representatives to ad hoc bodies, which are involved in community activities within the Board's area, on which a community representative is sought.

Endorse:

- Amendments to the Eastbourne Community Trust Deed (Eastbourne Community Board only).